



BOARD OF APPEAL

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FRANCIS L. SWIFT
HENRY H. THAYER

KATHARINE E. TOY
Administrative Secretary
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235-1664

Petition of Marcello C. W. and Giovannina Pucci

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on September 30, 1976, on the petition of Marcello C. W. and Giovannina Pucci, requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit the construction of an addition on the rear of the dwelling at 21 Rice Street with a side yard less than the required twenty feet.

On September 13, 1976, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Joseph T. Fleming, Jr., Attorney, represented the petitioners at the hearing.

A letter favoring the request was received from Francis Santospago, 17 Rice Street.

Henry J. Calzini, 35 Rice Street, spoke in favor of the request.

Statement of Facts

The house involved is located within a Single Residence District, a district which requires a minimum lot area of 10,000 square feet.

The petitioners seek permission to construct an addition on an existing concrete platform 13'6" x 19' 0", located on the southwesterly corner of the house. If built, it will provide a family room, which is needed at this time for the petitioners growing family. It was pointed out that while it will be only thirteen feet from the side line rather than the required twenty feet, it will continue the line of the existing house and will not encroach any closer to the side lot line.

A plot plan was submitted, drawn by John K. Carr, Professional Engineer, dated August 10, 1976, which showed the location of the dwelling on the lot as well as the proposed addition.

Decision

The Board has made a careful study of the facts in this case and has taken a view of the locus. It is the opinion of this Board that a real need exists for the additional space which the proposed addition will provide, and that the proposed construction will not reduce the value of any property within the district or otherwise injure the neighborhood.

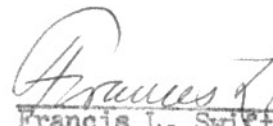
The facts in this case satisfy the conditions set forth in Section XIX of the Zoning By-law on which the Board's authority depends to grant a special exception from the application of the side yard restrictions of the by-law. The house was built prior to the enactment of the yard requirement

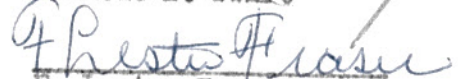
of twenty feet and was held of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. The lot contains 8,671 square feet and is triangular in shape, with the house located only five feet from the southerly lot line and twenty feet from the northerly lot line at the nearest points.


Due to the shape of the lot and the placement of the house on the lot, it is the opinion of this Board, that it would not be possible to construct an addition of practical size which would provide the room needed by the petitioners without encroaching into the side yards. Compliance, therefore, with the yard restrictions is impracticable because of the width and shape of the lot.

Accordingly, the requested exception is granted and the Inspector of Buildings is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Board.

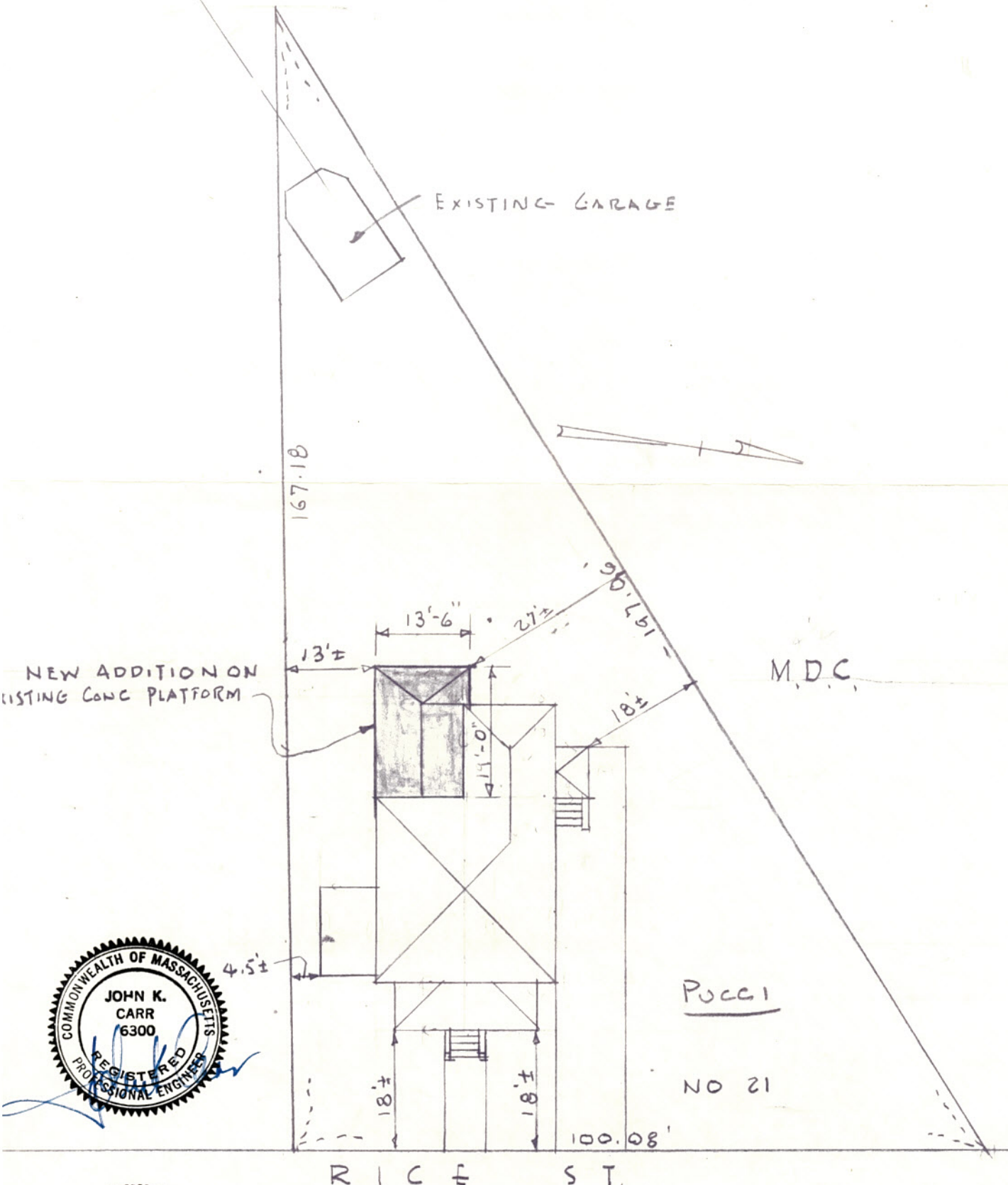
Filed With Town Clerk _____


Francis L. Swift


F. Lester Fraser


William O. Hewett

03 58 4 40 PM '32
TOWN CLERK'S OFFICE



PLOT PLAN

SCALE: 1" = 20'

PLAN OF LAND IN WELLESLEY, MASSACHUSETTS
AT 21 RICE STREET
OWNED BY
MARCELLO & JOANNE PUCCI
PROPOSED HOUSE ADDITION
AUGUST 10, 1976